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Date : 22-May-2024

Reg. Ref. : SDZ23A/0004/C24
Proposal : 385 dwelling units (139 houses, 70 Build-to-Rent duplex / apartments, 72 duplex / apartments and 104 apartments), ranging between two to six storeys in height comprising the following: - Total of 139 houses consisting of 102 three bedroom two storey terraced houses (House Type: O, E & F); 11 four bedroom two storey terraced houses (House Type: C); 26 four bedroom three storey terraced houses (House Type: A & B); Total of 70 Build-to-Rent duplex / apartment units consisting of 35 two bedroom units (House Type: J, L & O); 35 three bedroom units (House Type: K, M & P); Total of 72 duplex / apartment units consisting of: - 36 two bedroom units (House Type: J, L & O); 36 three bedroom units (House Type: K, M & P); Total of 104 apartment units accommodated in 2 blocks ranging from four to six storeys consisting of 48 one bedroom units (House Type: A1 & A2); 56 two bedroom units (House Type: B1 & B2); Private rear gardens are provided for all houses. Private patios / terraces and balconies are provided for all duplexes and apartments; Vehicular access to serve the development is provided off the Clonburris Southern Link Street permitted under SDCC Reg. Ref. SDZ20A/0021 and currently under construction. Pedestrian and cycle access is also provided to the Newcastle Road (R120) and to the Clonburris Southern Link Street; All associated and ancillary site development, infrastructural, hard and soft landscaping and boundary treatment works, including: - A single storey tenant amenity building (c. 170 sq.m); Areas of public open space (1.45Ha); 538 car parking spaces and 878 bicycle parking spaces (660 long-term spaces and 218 visitor spaces); Bin and bicycle stores; Plant provided at undercroft level and additional plant provided at roof level (including solar panels) of the proposed apartment blocks; 3 ESB Sub-stations; Demolition of remaining walls and hardstanding associated with a former agricultural building; The development proposed includes minor

revisions to an attenuation pond, connections to water services (wastewater, surface water and water supply) and connections to permitted cycle/ pedestrian paths permitted under SDCC Reg. Ref. SDZ20A/0021 on a site (c. 8.94 Ha) in the townland of Adamstown, within the Clonburris Strategic Development Zone (Adamstown Extension). On lands generally bound by the Dublin-Cork Rail Line to the north; Hayden's Lane, the Griffeen River and the undeveloped lands of Clonburris Strategic Development Zone to the east; Lucan Pitch and Putt to the south; and Newcastle Road (R120) to the west. This site consists of Development Areas AE-S1 and AE-S2 within the Clonburris Strategic Development Zone, as prescribed by the Clonburris Strategic Development Zone Planning Scheme 2019; This application is being made in accordance with the Clonburris Strategic Development Zone Planning Scheme 2019 and related to a proposed development within the Clonburris Strategic Development Planning Scheme Area, as defined by Statutory Instrument No. 604 of 2015.

Condition 24:

Regulation of Institutional Investment in Housing - Mixed unit-type development.

(a) Prior to the commencement of any house or duplex unit in the development as permitted, the applicant or any person with an interest in the land shall enter into an agreement with the planning authority (such agreement must specify the number and location of each house or duplex unit), pursuant to Section 47 of the Planning and Development Act 2000 (as amended), that restricts all houses and duplex units permitted, to first occupation by individual purchasers i.e. those not being a corporate entity, and/or by those eligible for the occupation of social and/or affordable housing, including cost rental housing.

(b) An agreement pursuant to Section 47 shall be applicable for the period of duration of the planning permission, except where after not less than two years from the date of completion of each specified housing unit, it is demonstrated to the satisfaction of the planning authority that it has not been possible to transact each specified house or duplex

unit for use by individual purchasers and/or to those eligible for the occupation of social and/or affordable housing, including cost rental housing.
(c) The determination of the planning authority as required in (b) shall be subject to receipt by the planning and housing authority of satisfactory documentary evidence from the applicant or any person with an interest in the land regarding the sales and marketing of the specified housing units, in which case the planning authority shall confirm in writing to the applicant or any person with an interest in the land that the Section 47 agreement has been terminated and that the requirement of this planning condition has been discharged in respect of each specified housing unit.
REASON: To restrict new housing development to use by persons of a particular class or description in order to ensure an adequate choice and supply of housing, including affordable housing, in the common good.

Location : In the townland of Adamstown, Lucan, Co. Dublin
Applicant : Clear Real Estate Holdings Limited
Application Type: Compliance with Conditions

Dear Sir/Madam,

I refer to your submission received on 28-Mar-2024 to comply with Condition No 24 of Grant of Permission No. SDZ23A/0004, in connection with the above.

In this regard I wish to inform you that the submission received is deemed **not** compliant.

Comments:

“Compliance submission:

Submission received on the 28/03/24 from Clear Real Estate Holdings Limited.

Documents provided by Applicant:

The Applicant has provided the following information to demonstrate compliance with Condition No. 24.

- Cover Letter from 28 March 2024

- 'Draft' Agreement pursuant to Section 47

Assessment/Planners Response:

The applicant/agent has submitted a draft Section 47 Agreement that has been reviewed by the Planning Department, without legal input from South Dublin County Council Law Department. The following is noted in relation to the submitted Section 47 Agreement:

- No hard copies were received, the submission is deemed to be **non-compliant** with the requirements of a Section 47 agreement for *Regulation of Institutional Investment in Housing - Mixed unit-type development*.
- The applicant is advised to submit two hard copies of the Agreement for the Council's review.

Conclusion

The submission is considered to be **non-compliant** with Condition 24.”

Yours faithfully,

M..C

for Senior Planner